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Attorneys for Plaintiffs Really Likeable People, Inc.,  
Loserkids, Inc., Macbeth, Inc., Macbeth Optics, LP, and  
Really Likeable People II, Inc. (formerly Atticus  
Clothing, Inc.)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

REALLY LIKEABLE PEOPLE, INC., a  
Delaware corporation, LOSERKIDS, INC., a  
California Corporation, MACBETH, INC., a  
California corporation, MACBETH OPTICS, LP,  
a California limited partnership, and REALLY  
LIKEABLE PEOPLE II, INC. (formerly  
ATTICUS CLOTHING INC.), a California  
corporation

Plaintiffs,

vs.

LOWLIFE CORPORATION, LTD, an English  
limited company, EVERYTHING BUT THE  
MUSIC, plc, an English corporation, DALE  
MASTERS, an individual, and DOES 1 through  
25, inclusive,

Defendants.

CASE NO. 07 CV 2405 L CAB

**DECLARATION OF ANDY MURRAY  
IN SUPPORT OF PLAINTIFFS'  
OPPOSITION TO DEFENDANT  
EBTM'S MOTION TO DISMISS  
PURSUANT TO RULE 12(b)(2)**

Judge: Hon. M. James Lorenz  
Date: March 3, 2008  
Time: 10:30 a.m.  
Room: 14

**DECLARATION OF ANDY MURRAY**

I, Andy Murray, declare and state as follows:

1. I am the Chief Executive Officer of Trinity Universal Holdings, Ltd., and oversee operations of its subsidiary Trinity Street Direct ("Trinity Street"), a direct consumer, marketing and services company. I have held this position since October 2004. The following facts are within my personal knowledge or, where indicated, based on the business records, including emails, of Trinity Street and its employees.

2. In about the middle of 2005, Trinity Street and Lowlife Corporation Limited ("Lowlife") entered into an agreement for Trinity Street to provide fulfillment, digital platform, customer care and reporting services for the website [www.loserkids.uk.com](http://www.loserkids.uk.com). From the time that the parties entered into the agreement until the present, Lowlife did not make any significant complaints about the performance of Trinity Street in connection with [www.loserkids.uk.com](http://www.loserkids.uk.com).

3. On June 6, 2007, I met with Dale Masters (Managing Director of Lowlife) and Richard Breeden (Chief Executive Officer of EBTM, plc ("EBTM")) at Trinity Street's offices in London. Messrs. Masters and Breeden informed me that EBTM had recently purchased Atticus and the [www.loserkids.uk.com](http://www.loserkids.uk.com) store, and that all services previously performed by Trinity Street for [www.loserkids.uk.com](http://www.loserkids.uk.com) would be run by EBTM rather than Trinity Street. We discussed logistics for transition of the business from Trinity Street to EBTM, including EBTM's planned launch date of July 1, 2007, and for all stock in Trinity Street's possession for the [www.loserkids.uk.com](http://www.loserkids.uk.com) store to be sent to EBTM by July 15, 2007. Attached as Exhibit A is a true and correct copy of notebook entries which contain my contemporaneous notes of the meeting. My practice is to cross out my notebook entries after I have completed any necessary follow up. Here, I crossed out the entries after I had followed up regarding the meeting by sending a confirming email to Messrs. Masters and Breeden and informing Trinity Street staff about transition of the business from Trinity Street to EBTM, as described below.

4. On June 6, 2007, following the meeting described in the paragraph above, I sent an email to Messrs. Masters and Breeden, congratulating them on their deal, and wishing them luck. Additionally I stated the following, in part, regarding the transition of the

1 www.loserkids.uk.com store from Trinity Street to EBTM:

2 The store will continue as is for the rest of this month and we'll  
3 switch over at the beginning of July with the exact time and date to  
4 be achieved. Once the store is closed we will, with the help of  
5 Tom/Will, pack up all the stock with a view to it all being out of  
our warehouse by the end of August, preferably by mid August,  
again, dates and times to be agreed.

6 5. On June 7, 2007, Mr. Masters replied to my email described above. He stated:  
7 "Thanks Andy - I will pay you that tenner at Download. Do you mean 'stock out' during August  
8 - or was it July as discussed yesterday?" On June 7, 2007, I replied "sorry, yes I did mean mid to  
9 end July." Attached as Exhibit B is a true and correct copy of the June 6 email from me to Mr.  
10 Masters, his June 7 response, and my June 7 reply as described in the two preceding paragraphs.

11 6. On June 6, 2007, I discussed the meeting described above with Nick Walker,  
12 Operations Director at Trinity Street, so that he and his staff could prepare for transition of the  
13 business from Trinity Street to EBTM. Nick sent an email to Joe Burden and James Robinson,  
14 warehouse operatives at Trinity Street, copying me, describing the substance of the meeting and  
15 making Messrs. Burden and Robinson aware of the information. The email states, in part, the  
16 following:

17 Loserkids was sold to ETBM this week. ETBM have a  
18 comprehensive online and fulfilment facilities in house which  
19 means the they will be moving the warehousing, oline sales and  
20 fulfilment from Trinity St to ETBM. The Loserkids store is aimed  
to continue until the end of June (date TBC) and then all stock  
moved out (with Tom & Will's assistance) by mid August.

21 "ETBM" was meant to reference EBTM. Attached as Exhibit C is a true and correct copy of the  
22 email described in this paragraph.

23 7. On July 12, 2007, I sent an email to Dale Masters, copying Katie David, Head of  
24 Account Management at Trinity Street, and Mr. Walker, stating: "How's things going with your  
25 new site? We're getting tight for space up at Spa and need to plan in the movement of your  
26 stock." "Spa" referred to Lemington Spa, the name of a town where a Trinity Street warehouse  
27 is located. Dale Masters forwarded the email to Richard Breeden, copying me, Ms. David and  
28 Mr. Walker stating "[o]ver to you Richard." After attempts by Ms. David to have a telephone

A/72291339.5

- 2 -

1 call with Mr. Breeden were unsuccessful, on July 30, 2007, Ms. David sent an email to Messrs.  
2 Masters and Breeden, copying Mr. Walker and me, entitled "URGENT DEADLINES FOR LK  
3 stock" in an attempt to get EBTM's attention and to set dates for transition from Trinity Street to  
4 EBTM running www.loserkids.uk.com. The email provided, in part, the following deadlines for  
5 turning off the www.loserkids.uk.com site and sending stock for www.loserkids.uk.com from  
6 Trinity Street to EBTM:

7                   Loserkids site will close-  
8                   MONDAY 6TH AUGUST

9                   Loserkids stock will be returned no later than  
10                  MONDAY 20th AUGUST

11 Attached as Exhibit D is a true and correct copy of the email chain described in this paragraph.

12           8.       On July 4, 2007, at Lowlife's request, Trinity Street sent to Lowlife the  
13 www.loserkids.uk.com customer database, which included names, shipping addresses and email  
14 addresses for any customers that were shipped product ordered from www.loserkids.uk.com.  
15 The customer data also included names, shipping addresses and email addresses for those  
16 customers who registered for the Loserlist on www.loserkids.uk.com. Attached hereto as Exhibit  
17 E is a true and correct copy of an email from Will Selby at Lowlife to Hayley Stevens at Trinity  
18 Street, dated July 4, 2007, requesting the customer data for www.loserkids.com. Attached hereto  
19 as Exhibit F is a true and correct copy of an email from Hayley Stevens at Trinity Street to Will  
20 Selby at Lowlife, dated July 24, 2007, transmitting the customer data requested by Lowlife for  
21 www.loserkids.com. Exhibits E and F were forwarded to me by Trinity Street employees at my  
22 request on November 8 and September 5, 2007, respectively.

23           9.       On July 25, 2007, Hayley Stevens and Nick Walker at Trinity Street received an  
24 email from Will Selby at Lowlife, forwarding an email from Hatty Fawcett at EBTM and asking  
25 whether Ms. Stevens and Mr. Walker could assist Ms. Fawcett with her questions, in part, about  
26 the www.loserkids.uk.com customer data. This email chain was forwarded to me by Trinity  
27 Street employees, at my request, on September 5, 2007. The email from Ms. Fawcett, including  
28 the questions she asked, indicate that EBTM was in possession of the customer data for

1 www.loserkids.uk.com. Attached as Exhibit F is a true and correct copy of the email chain  
2 described in this paragraph.

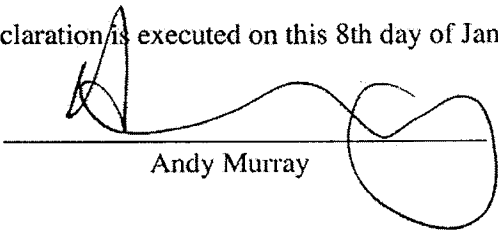
3 10. On August 6, 2007, Trinity Street closed the www.loserkids.uk.com store,  
4 according to the schedule set forth in the email described in paragraph 7, above, and continued  
5 preparations for sending all www.loserkids.com stock from Trinity Street to EBTM.

6 11. On August 8, 2007, Dale Masters called me regarding shut down of the  
7 www.loserkids.uk.com store, stating that there was a mix up and that EBTM had not yet  
8 completed its preparations to take over from Trinity Street. Accordingly, he asked that Trinity  
9 Street turn the www.loserkids.uk.com store back on. On August 8, 2007, Mr. Masters sent me  
10 an email stating the following: "To confirm our conversation just now, please switch the  
11 loserkids.uk.com site back on asap and sorry for the misunderstanding." I did not and do not  
12 believe there to have been any misunderstanding in the instructions from Mr. Masters and Mr.  
13 Breeden pertaining to the shut down and transition of www.loserkids.uk.com from Trinity Street  
14 to EBTM and responded, in part, that I wanted all further communications regarding Mr.  
15 Master's plans for www.loserkids.uk.com to be in writing. Attached as Exhibit G is a true and  
16 correct copy of the email chain described in this paragraph. On August 8, 2007, Trinity Street  
17 turned the www.loserkids.uk.com store back on; Trinity Street waited to hear from Lowlife and  
18 EBTM about the date for shut down of the site and transition from Trinity Street to EBTM.

19 12. On August 30, 2007, Will Selby at Lowlife sent an email to Hayley Stevens and  
20 Catherine Gough an Account Manager at Trinity Street, copying Ms. David, asking that Macbeth  
21 Fall 2007 product be posted for sale on www.loserkids.uk.com before the following weekend.  
22 Ms. Gough responded that it was not possible to post the product for sale that same week due to  
23 lack of any prior notice from Lowlife, not to mention that Trinity Street had shut down its  
24 operation of www.loserkids.uk.com earlier in the month and was in the process of sending all  
25 stock to EBTM as instructed by Lowlife and EBTM. Dale Masters forwarded the email to me  
26 and stated, in part: "just in case Jon + co ask where the new season stock is on LKs - see below."  
27 "Jon" referred to Jon Humphrey, President of Really Likeable People, Inc., and "LKs" referred  
28

1 to www.loserkids.uk.com. Attached as Exhibit H is a true and correct copy of the email chain  
2 described in this paragraph.

3 I declare under penalty of perjury under the laws of the State of California that the  
4 foregoing is true and correct, and that this declaration is executed on this 8th day of January,  
5 2008.

6   
7 Andy Murray  
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**Exhibit A**

DAVE, Planned Reception 6/8/08  
 ESTIM / COOKIES - 11.00  
 ESTIM OWN APPLES + LK STORES.  
 How many ORDERS / DAY?  
 1/7/07 LAUNCH ESTIM RUNS STS  
 15/8/07 0.57 of TS W/H  
 Tom/Hayley  
 130 / WK  
 0207 938 5621 7/6/07  
 SUS.  
 PRU. MARKIS @.  
 PAUL Blue Party.  
 G. CAP. 16.00  
 DAVIS 90.00  
 SUSANNE  
 200-500 20 DATES.

Sony Bma 7/8/07  
 LEADIL - FC  
 OFFER - PRODUCT MIX - STOCK TURN  
 UNIVERSAL - CLASSIC.  
 Sony Bma + CLASSIC.  
 TRAFFIC - CLASSIC.  
 COLUMBIA  
 SEARCH  
 DATABASE PLANNING  
 ORGANISED DATA.  
 WEAR SPOTS.  
 R.S.  
 PAC.  
 VCN 969710



**Andy Murray (Trinity Street)**

---

**From:** Andy Murray (Trinity Street)  
**Sent:** 06 June 2007 17:39  
**To:** 'Dale Masters'; 'richard@ebtm.com'  
**Cc:** Hayley Stevens; Tom Ash LL; Nick Walker (Trinity Street)  
**Subject:** loserkids UK

Dale, Richard, as I said this morning, congratulations on your deal, I of course wish you luck going forward. Without blowing his trumpet, Dale and I go back nearly 15 years and in that time he's only ever been successful at everything he does.

So now down to the job if getting rid of your gear out of my warehouse!

The store will continue as is for the rest of this month and we'll switch over at the beginning of July with the exact time and date to be achieved. Once the store is closed we will, with the help of Tom/Will, pack up all the stock with a view to it all being out of our warehouse by the end of August, preferably by mid August, again, dates and times to be agreed.

Make sense all?

Andy

[andy.murray@trinityst.com](mailto:andy.murray@trinityst.com)  
M +44 (0) 7765 822708  
**Trinity St**  
[www.trinityst.com](http://www.trinityst.com)  
part of Trinity Universal Holdings

**Andy Murray (Trinity Street)**

---

**From:** Dale Masters [dale@24-7trading.com]  
**Sent:** 07 June 2007 13:38  
**To:** Andy Murray (Trinity Street)  
**Cc:** Hayley Stevens; richard@ebtm.com; Nick Walker (Trinity Street); Tom Ash LL  
**Subject:** Re: loserkids UK

Thanks Andy - I will pay you that tenner at Download.

Do you mean "stock out" during August - or was it July as discussed yesterday?

Dale

Bridge House  
172 Queenstown Road  
London SW8 3NR  
UK

Tel: 020-76229326 Fax: 020-76229327

On 6 Jun 2007, at 17:38, Andy Murray ((Trinity Street)) wrote:

Dale, Richard, as I said this morning, congratulations on your deal, I of course wish you luck going forward. Without blowing his trumpet, Dale and I go back nearly 15 years and in that time he's only ever been successful at everything he does.

So now down to the job of getting rid of your gear out of my warehouse!

The store will continue as is for the rest of this month and we'll switch over at the beginning of July with the exact time and date to be achieved. Once the store is closed we will, with the help of Tom/Will, pack up all the stock with a view to it all being out of our warehouse by the end of August, preferably by mid August, again, dates and times to be agreed.

Make sense all?

Andy

andy.murray@trinityst.com  
M +44 (0) 7765 822708  
**Trinity St**  
www.trinityst.com  
part of Trinity Universal Holdings

**Andy Murray (Trinity Street)**

**From:** Andy Murray (Trinity Street)  
**Sent:** 07 June 2007 15:06  
**To:** 'Dale Masters'  
**Cc:** Hayley Stevens; richard@ebtm.com; Nick Walker (Trinity Street); Tom Ash LL  
**Subject:** RE: loserkids UK

sorry, yes I did mean mid to end July.

[andy.murray@trinityst.com](mailto:andy.murray@trinityst.com)  
M +44 (0) 7765 822708  
**Trinity St**  
[www.trinityst.com](http://www.trinityst.com)  
part of Trinity Universal Holdings

**From:** Dale Masters [<mailto:dale@24-7trading.com>]  
**Sent:** 07 June 2007 13:38  
**To:** Andy Murray (Trinity Street)  
**Cc:** Hayley Stevens; richard@ebtm.com; Nick Walker (Trinity Street); Tom Ash LL  
**Subject:** Re: loserkids UK

Thanks Andy - I will pay you that tenner at Download.

Do you mean "stock out" during August - or was it July as discussed yesterday?

Dale

Bridge House  
172 Queenstown Road  
London SW8 3NR  
UK

Tel: 020-76229326 Fax: 020-76229327

On 6 Jun 2007, at 17:38, Andy Murray ((Trinity Street)) wrote:

Dale, Richard, as I said this morning, congratulations on your deal, I of course wish you luck going forward. Without blowing his trumpet, Dale and I go back nearly 15 years and in that time he's only ever been successful at everything he does.

So now down to the job of getting rid of your gear out of my warehouse!

The store will continue as is for the rest of this month and we'll switch over at the beginning of July with the exact time and date to be achieved. Once the store is closed we will, with the help of Tom/Will, pack up all the stock with a view to it all being out of our warehouse by the end of August, preferably by mid August, again, dates and times to be agreed.

Make sense all?

Andy

[andy.murray@trinityst.com](mailto:andy.murray@trinityst.com)  
M +44 (0) 7765 822708

**Trinity St**  
[www.trinityst.com](http://www.trinityst.com)  
part of Trinity Universal Holdings



**Andy Murray (Trinity Street)**

**From:** Nick Walker (Trinity Street)  
**Sent:** 06 June 2007 20:48  
**To:** Joe Burden; James Robinson  
**Cc:** Andy Murray (Trinity Street)  
**Subject:** Loserkids

Guys

Just so you are aware and before you hear it through the grapevine...

Loserkids was sold to ETBM this week. ETBM have a comprehensive online and fulfilment facilities in house which means the they will be moving the warehousing, online sales and fulfilment from Trinity St to ETBM. The Loserkids store is aimed to continue until the end of June (date TBC) and then all stock moved out (with Tom & Will's assistance) by mid August.

This decision was inevitable and is not any reflection on how Trinity St has performed. Manning levels in the warehouse will continue as is for the time being. I'd ask you to keep this information to yourself for now.

Will keep you posted.

Nick

**Nick Walker**  
nick.walker@trinityst.com  
M +44 (0) 7775 698 474



www.trinityst.com  
part of Trinity Universal Holdings Ltd  
London Office: 1st Floor, 27-28 East Castle Street, London W1W 8DH  
T +44 (0) 207 6319 050

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**Andy Murray (Trinity Street)**

---

**From:** Katie David  
**Sent:** 30 July 2007 12:39  
**To:** 'Richard Breeden'; dale@24-7trading.com  
**Cc:** Nick Walker (Trinity Street); Andy Murray (Trinity Street)  
**Subject:** URGENT DEADLINES FOR LK stock

**Importance:** High

Dear All,

I haven't heard anything back as to when your site will be ready, as we urgently require the warehouse space and to get deadlines set, please see the timeline below.

We will close Lowlife -  
FRIDAY 3th AUGUST

Lowlife stock will be returned no later than- MONDAY 13th AUGUST

Loserkids site will close-  
MONDAY 6TH AUGUST

Loserkids stock will be returned no later than MONDAY 20th AUGUST

Please confirm address to send stock back to.

Thankyou

Katie David  
Account Manager  
T +44 (0) 20 76319050  
Trinity St  
www.trinityst.com  
part of Trinity Universal Holdings  
1st Floor, 27-28 Eastcastle St, London, W1W 8DH

PLEASE SEND ALL STOCK DELIVERY TO;  
Trinity Street Direct  
The Queensway  
Leamington Spa  
CV31 3JT

-----Original Message-----

**From:** Richard Breeden [mailto:richard@ebtm.com]  
**Sent:** 23 July 2007 10:16  
**To:** Katie David; dale@24-7trading.com  
**Cc:** Nick Walker (Trinity Street); Andy Murray (Trinity Street)  
**Subject:** RE: LK stock

Hi

Am around this afternoon.

Richard Breeden  
Chief Executive  
EBTM Plc

(t) +44 (0)20 8704 0034  
(f) +44 (0)20 8704 0086  
(m) +44 (0)7973 563 529  
(e) richard@ebtm.com

-----Original Message-----

**From:** Katie David [mailto:katie.david@trinityst.com]

Sent: 20 July 2007 11:53  
To: Richard Breeden; dale@24-7trading.com  
Cc: Nick Walker (Trinity Street); Andy Murray (Trinity Street)  
Subject: RE: LK stock

Hi Richard

Are you around today for a chat if I give you a buzz?

Katie

Katie David  
Account Manager  
T +44 (0) 20 76319050  
Trinity St  
www.trinityst.com  
part of Trinity Universal Holdings  
1st Floor, 27-28 Eastcastle St, London, W1W 8DH

PLEASE SEND ALL STOCK DELIVERY TO;  
Trinity Street Direct  
The Queensway  
Leamington Spa  
CV31 3JT

-----Original Message-----

From: Richard Breeden [mailto:richard@ebtm.com]  
Sent: 18 July 2007 17:43  
To: Katie David; dale@24-7trading.com  
Cc: Nick Walker (Trinity Street); Andy Murray (Trinity Street)  
Subject: RE: LK stock

Sorry - I'll buzz you tomorrow.

Richard Breeden  
Chief Executive  
EBTM Plc

(t) +44 (0)20 8704 0034  
(f) +44 (0)20 8704 0086  
(m) +44 (0)7973 563 529  
(e) richard@ebtm.com

-----Original Message-----

From: Katie David [mailto:katie.david@trinityst.com]  
Sent: 18 July 2007 13:25  
To: dale@24-7trading.com; Richard Breeden  
Cc: Nick Walker (Trinity Street); Andy Murray (Trinity Street)  
Subject: RE: LK stock

Hi Richard

Can we chat about this asap, we haven't heard anything from you and need to get a plan in place sooner rather than later.

Katie

Katie David  
Account Manager  
T +44 (0) 20 76319050  
Trinity St  
www.trinityst.com  
part of Trinity Universal Holdings  
1st Floor, 27-28 Eastcastle St, London, W1W 8DH

PLEASE SEND ALL STOCK DELIVERY TO;  
Trinity Street Direct

**Exhibit D**

The Queensway  
Leamington Spa  
CV31 3JT

-----Original Message-----

From: Dale Masters [mailto:dale@24-7trading.com]  
Sent: 12 July 2007 15:47  
To: Richard Breeden  
Cc: Katie David; Nick Walker (Trinity Street); Andy Murray (Trinity Street)  
Subject: Re: LK stock

Over to you Richard

-----Original Message-----

From: "Andy Murray" <andy.murray@trinityst.com>  
Date: Thu, 12 Jul 2007 14:13:35  
To: "Dale Masters" <dale@24-7trading.com>  
Cc: "Katie David" <katie.david@trinityst.com>, "Nick Walker"  
<nick.walker@trinityst.com>  
Subject: LK stock

How's things going with your new site? We're getting tight for space up at Spa and need to plan in the movement of your stock.

A

Sent from my handheld Blackberry



**From:** Will Selby <will@lowlifeonline.com>  
**Date:** Wed, 4 Jul 2007 09:59:20 +0100  
**To:** <hayley.stevens@trinityst.com>  
**Subject:** LK customer data and stock movement

Hi Hayley,

As part of our movement over to EBTM I require the customer data file which details names, addresses, e-mails and passwords etc so we can begin to add this to the new system (I'm pretty sure we discussed this a couple of weeks ago). As far as I'm aware this should be available in comma delimited format (which would be perfect for us) but let me know...? If you could mail this on or send via disk as soon as possible?

We also need to start planning the packing and shipping of all the stock from Leamington down to London, at present it's looking like we will be ready to take the stock towards the end of this month although we are working on making this sooner if possible. How long do you anticipate the packing to take? It would also be helpful if we could have the stock packed by brand rather than in its order in the warehouse, is this possible?

Thanks,

Will Selby

Lowlife Corporation LTD

Tel: 01825 880414

Fax: 0870 0505461



----- End of Forwarded Message



**Andy Murray (Trinity Street)**

**From:** Stephen Mead  
**Sent:** 05 September 2007 18:24  
**To:** Andy Murray (Trinity Street)  
**Subject:** FW: Loser Kids & Lowlife Customer data

Andy,

Here's the dialogue leading up to the request for customer data. It's correspondence between Hatty @ EBTM and Will @ Lowlife and he forwarded the request to Hayley. I've got the email Ben sent Hayley with all the databases, which be on the next mail.

Stephen

**Stephen Mead**  
Trinity St  
part of the 360 group  
[www.trinityst.com](http://www.trinityst.com)  
DD +44(0) 207 6319064  
T +44 (0) 20 7 6319050  
M +44 (0) 778 752 1055  
[stephen.mead@trinityst.com](mailto:stephen.mead@trinityst.com)  
London Office:  
**1st Floor. 27-28 Eastcastle Street, London.**  
**W1W 8DH**

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**From:** Ben Cooke (QED Technology)  
**Sent:** 05 September 2007 18:20  
**To:** Stephen Mead  
**Subject:** FW: Loser Kids & Lowlife Customer data

This is an email to us devLondon a day before

**From:** [hayley.stevens@trinityst.com](mailto:hayley.stevens@trinityst.com) [<mailto:hayley.stevens@trinityst.com>]  
**Sent:** 25 July 2007 14:09  
**To:** devLondon  
**Subject:** FW: Loser Kids & Lowlife Customer data

Can we go through this a bit later?

**Hayley Stevens**  
Account Manager  
[hayley.stevens@trinityst.com](mailto:hayley.stevens@trinityst.com)  
T +44 (0) 207 631 9050  
Direct line +44 (0) 207 631 9057  
Trinity St  
[www.trinityst.com](http://www.trinityst.com)  
part of Trinity Universal Holdings  
London Office: 1st Floor. 27-28 Eastcastle Street, London. W1W 8DH

**PLEASE SEND ALL STOCK DELIVERIES TO:**

FAO: Joe Burden/James Robinson

Trinity Street Direct  
The Queensway  
Leamington Spa  
CV31 3JT

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----- Forwarded Message

**From:** Jon Ward <jon.ward@trinityst.com>  
**Date:** Wed, 25 Jul 2007 13:43:24 +0100  
**To:** Hayley Stevens <hayley.stevens@trinityst.com>, Design Team <design@trinityst.com>  
**Subject:** Re: Loser Kids & Lowlife Customer data

I think this is more a dev london thing as it seems to be all database information. sorry

On 25/7/07 13:35, "hayley.stevens@trinityst.com" <hayley.stevens@trinityst.com> wrote:

Can you assist at all?

**Hayley Stevens**  
Account Manager  
[hayley.stevens@trinityst.com](mailto:hayley.stevens@trinityst.com)  
T +44 (0) 207 631 9050  
Direct line +44 (0) 207 631 9057  
**Trinity St**  
[www.trinityst.com](http://www.trinityst.com)  
part of Trinity Universal Holdings  
London Office: 1st Floor, 27-28 Eastcastle Street, London, W1W 8DH

PLEASE SEND ALL STOCK DELIVERIES TO:

FAO: Joe Burden/James Robinson  
Trinity Street Direct  
The Queensway  
Leamington Spa  
CV31 3JT

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----- Forwarded Message

**From:** Will Selby <will@lowlifeonline.com>  
**Date:** Wed, 25 Jul 2007 13:10:15 +0100  
**To:** 'Hayley Stevens' <Hayley.Stevens@trinityst.com>, "Nick Walker (Trinity Street)" <Nick.Walker@trinityst.com>  
**Subject:** FW: Loser Kids & Lowlife Customer data

Hi Guys,

Are you able to help with any of the below information?

Thanks,

Will Selby  
Lowlife Corporation LTD

Tel: 01825 880414  
Fax: 0870 0505461

Exhibit F

11

07/01/2008

-----Original Message-----

From: hatty@ebtm.com [mailto:hatty@ebtm.com]

Sent: 24 July 2007 19:33

To: will@lowlifeonline.com

Cc: richard@ebtm.com; dale@24-7trading.com

Subject: Loser Kids & Lowlife Customer data

Hi Will

I've now had a chance to look at the Loser Kids and Lowlife customer data from Trinity Street. I'm concerned about what has been supplied.

The following data seems to be missing - although it appears on the Loser Kids registration form on the website:

User name (not sure how this is generated - can you advise?)

Password

County

Only one phone number has been supplied - it is not clear whether this is telephone or mobile. We require both telephone fields.

Security question data - ie Mother's maiden name

Data protection permission (email)

Data protection permission (SMS)

In addition, the Country field from the address appears to have corrupted. For example, Surrey is not in the Faroe Islands and York is not in Croatia (see first two records in Loser Kids file).

I was also expecting to see both billing and shipping address information - but have only been provided with one address. Can you confirm whether Loser Kids customers can provide a different delivery address to their billing address? If so, we need to get both addresses from Trinity Street.

All of above issues also apply to the Lowlife customer data.

Could you discuss with Trinity Street as a matter of urgency and ask them to supply a revised file ASAP.

Many thanks  
Hatty

-----  
myhosting.com - Premium Microsoft® Windows® and Linux web and application  
hosting - <http://link.myhosting.com/myhosting>

----- End of Forwarded Message

> Jon Ward

> jon.ward@trinityst.com

> T: +44 (0) 207 1477 010

> M: +44 (0) 7966 352 298

> Trinity St

> www.trinityst.com

> part of Trinity Universal Holdings

> London Office: 1st Floor, 27-28 Eastcastle Street, London. W1W 8DH

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----- End of Forwarded Message



**From:** Andy Murray (Trinity Street)  
**Sent:** 08 August 2007 18:33  
**To:** 'Dale Masters'  
**Cc:** Richard Breeden; Katie David; Isobel Chester; Nick Walker (Trinity Street); Ops; Seanna Hardaker-Jones; Georgina Jones-Pritchard  
**Subject:** RE: Loserkids UK

OK, the site is now back live and will function as normal. We will have to charge you for any work carried out both online and physical, I'll come back to you with a cost.

Given this situation, from our meeting with yourself and Richard where we agreed to close the site to an agreed timeline to the situation we found ourselves in today, I'd like your plans for [www.loserkidsuk.com](http://www.loserkidsuk.com) in writing so we avoid a repeat of this.

Best regards

Andy

[andy.murray@trinityst.com](mailto:andy.murray@trinityst.com)  
M +44 (0) 7765 822708  
Trinity St  
[www.trinityst.com](http://www.trinityst.com)  
part of Trinity Universal Holdings

-----Original Message-----

**From:** Dale Masters [<mailto:dale@ebtm.com>]  
**Sent:** 08 August 2007 16:18  
**To:** Andy Murray (Trinity Street)  
**Cc:** Richard Breeden  
**Subject:** Loserkids UK

Andy

To confirm our conversation just now, please switch the [loserkids.uk.com](http://loserkids.uk.com) site back on asap and sorry for the misunderstanding.

See you Friday.

Thanks  
Dale Masters

EBTM Plc  
Unit G10.2  
Battersea Studios  
80 Silverthorne Road  
London SW8 3XA  
U.K.

[www.lowlife.com](http://www.lowlife.com)  
[www.atticusclothing.com](http://www.atticusclothing.com)  
[www.ebtm.com](http://www.ebtm.com)



**Andy Murray (Trinity Street)**

**From:** Andy Murray (Trinity Street)  
**Sent:** 30 August 2007 14:48  
**To:** 'Dale Masters'  
**Subject:** RE: Loserkids Account Handover

I know, Hayley's kept me informed.

A

[andy.murray@trinityst.com](mailto:andy.murray@trinityst.com)  
M +44 (0) 7765 822708  
Trinity St  
[www.trinityst.com](http://www.trinityst.com)  
part of Trinity Universal Holdings

**From:** Dale Masters [<mailto:dale@24-7trading.com>]  
**Sent:** 30 August 2007 14:38  
**To:** Andy Murray (Trinity Street)  
**Subject:** Fwd: Loserkids Account Handover

Muz - just in case Jon + co ask where the new season stock is on LKs - see below. Have a good trip over there + call me from NYC.....D

**From:** Catherine Gough  
**Sent:** 30 August 2007 12:21  
**To:** Will Selby  
**Subject:** RE: Loserkids Account Handover

Hi Will,

I will get the progress sheet set up and over to you ASAP. With regards to getting stock up on site this week this is unfortunately not possible due to lack of notice.

We have spoken with the warehouse and we have scheduled in for the stock to be delivered on the 11

th

September, if stock is delivered before this date we will be unable to accept delivery and will have to decline on arrival.

The process will be as follows:

- 3rd – 7th September – Products added to admin site (no stock)
- 11

th

September – Stock delivered

- 12

th –

13th September – Stock counted and shelved

- 13

th

September - Stock added to admin site

Any missing photographs to be taken

I can let you know by the end of the day when the site we be able to go live, but please be aware that deadlines are subject to change and can be only used as a guideline.

Many Thanks

Cat

**From:** Will Selby [mailto:telesalesl@lowlife.com]

**Sent:** 30 August 2007 11:33

**To:** Hayley Stevens; Catherine Gough

**Cc:** Katie David

**Subject:** RE: Loserkids Account Handover

Thanks Hayley,

I'll sent cat's and images today,

Be great to get them on the site before the weekend....what are the chances? I can send one of each shoe over today for delivery tomorrow and then the rest of the stock early next week...would this help speed things up?

**Will Selby**

**Lowlife Corporation LTD**

**Tel: 01825 880414**

**Fax: 0870 0505461**